

John F. Roth
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Pro se, on his own behalf

2010 MAY 21 PM 3:38

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MASTERFILE CORPORATION,

Plaintiff,

v.

JOHN F. ROTH d/b/a ROTH
IMMIGRATION LAW FIRM a/k/a
JOHN F. ROTH & ASSOCIATES

Defendant.

Hon. Claire C. Cecchi

Civil Action No.

2:10—CV—01148—JLL—CCC

ANSWER

Defendant John F. Roth, d/b/a Roth Immigration Law Firm, a/k/a John F. Roth & Associates ("Defendant"), with his principal place of business at 7 Reuten Drive, Suite D2, Closter, New Jersey 07624, now answers the Complaint of Masterfile Corporation ("Plaintiff"), with its principal place of business at 3 Concorde Gate, 4th Floor, Toronto, Ontario, Canada M3C 3N7 (Compl. ¶ 5), alleging copyright infringement against him, and further admits or denies the specific allegations of the Complaint, as follows:

JURISDICTION AND VENUE

1. Defendant denies the allegations set forth in paragraph 1.
2. Defendant admits the allegations of subject matter jurisdiction in paragraph 2.
3. Defendant admits the allegations of personal jurisdiction in paragraph 3.
4. Defendant admits the allegations of venue in paragraph 4.

PARTIES

5. Defendant denies knowledge and information sufficient to form a belief to the allegations set forth in paragraph 5.
6. Defendant denies the allegations in part and admits the allegations in part set forth in paragraph 6. The Defendant's principal place of business is 7 Reuten Drive, Suite D2, Closter, New Jersey, but the correct zip code is 07624, not 11545. The Defendant's principal place of business was located at Nanuet, New York until June 2009, at which time he relocated to Closter, New Jersey. The Defendant no longer has an office located in Nanuet, New York.
7. Defendant denies the allegations set forth in paragraph 7.

FACTS

8. Defendant denies knowledge and information sufficient to form a belief to the allegations set forth in paragraphs 8, 9, 10, 11, 12, 13, 14 and 15.
9. Defendant admits the allegations set forth in paragraph 16.
10. Defendant denies knowledge and information sufficient to form a belief in part and admits the allegations in part set forth in paragraph 17. On September 13, 2009, the Defendant received a notice alleging copyright infringement, dated September 8, 2009, from the Plaintiff. Defendant admits to the nature of the notice.
11. Defendant denies the allegations set forth in paragraph 18.

AS AND FOR COUNT I

12. Answering paragraph 19 of the Complaint, paragraphs 1 through 11 are incorporated as if fully set forth herein.
13. Defendant denies the allegations set forth in paragraphs 20, 21, 22 and 23.

AS AND FOR COUNT II

14. Answering paragraph 24 of the Complaint, paragraphs 1 through 13 are incorporated as if fully set forth herein.

15. Defendant denies the allegations set forth in paragraphs 25, 26, 27, 28 and 29.

AS AND FOR COUNT III

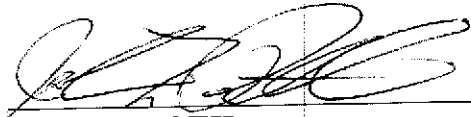
16. Answering paragraph 30 of the Complaint, paragraphs 1 through 15 are incorporated as if fully set forth herein.

17. Defendant denies the allegations set forth in paragraph 31, 32, 33 and 34.

WHEREFORE, Defendant respectfully requests that this Honorable Court enter the following relief:

- A) On the **COUNT I** cause of action, to be dismissed;
- B) On the **COUNT II** cause of action, to be dismissed;
- C) On the **COUNT III** cause of action, to be dismissed;
- D) On the Defendant's request to enjoin Defendant, direct Defendant to deliver all productions for destruction and direct Defendant to account for and relinquish all gains, profits and advantages, to be dismissed;
- E) On the Defendant's request to direct Defendant to pay for damages, to be dismissed;
- F) On the Defendant's request for the cost of this action together with attorney fees, to be dismissed;
- G) On the Defendant's request for pre-judgment interest and post-judgment interest, to be dismissed;
- H) Such other and further relief as to the Court deems just and proper.

Dated: May 20, 2010

A handwritten signature in black ink, appearing to read 'John F. Roth', is written over a horizontal line.

JOHN F. ROTH

Roth Immigration Law Firm

Pro se, on his own behalf

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AFFIDAVIT OF SERVICE

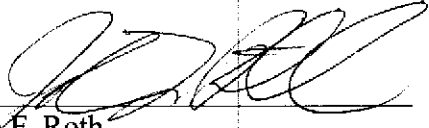
STATE OF NEW JERSEY)
)ss.:
COUNTY OF BERGERN)

I, John F. Roth, being duly sworn and swear under penalty of perjury as follows:

I am the *pro se* Defendant to this action, am 18 years of age and reside in Norwood, New Jersey. On the 20th day of May, 2010, I served the within Answer upon:

Matthew A. Kaplan, Esq.
Cowan DeBaets Abrahams & Sheppard LLP
Attorney for Plaintiff
41 Madison Avenue, 34th Floor
New York, NY 10010
(212) 974-7474

the address designated by said attorney for that purpose, by depositing a true copy of same enclosed in a post-paid wrapper, by overnight courier service, in an official depository under the exclusive care and custody of the Federal Express (FedEx) within the State of New Jersey.



John F. Roth
Pro se Defendant
7 Reuten Drive, Suite D2
Closter, NJ 07624

Date: May 20, 2010

Sworn to before me this
20th day of May, 2010.



Notary Public

